

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

N.E.,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

Case No. 22-cv-00345-LB

ORDER

The court grants the defendant's motion for remand pursuant to Sentence Four of 42 U.S.C. § 405(g) and remands for further administrative proceedings. On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision, and will instruct the ALJ take further action, as warranted, to complete the administrative record and resolve the following issues. The ALJ will evaluate whether the plaintiff has the residual functional capacity (RFC) to perform his past relevant work, as actually performed rather than as generally performed in the national economy. If the ALJ determines that the plaintiff could not have performed his past relevant work, the ALJ will determine whether there were other jobs that existed in significant numbers in the national economy (during the closed period of alleged disability) that the plaintiff could have performed, given the limitations in the RFC findings. If appropriate, the ALJ will obtain supplemental vocational expert testimony to assist in determining what jobs, if any, existed.

IT IS SO ORDERED.

Dated: October 14, 2022



LAUREL BEELER
United States Magistrate Judge

United States District Court
Northern District of California

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